

AN ACT making appropriations for the operations, maintenance, and support of the Legislative Branch of the Commonwealth of Kentucky.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔Section 1. Notwithstanding KRS 48.100 and 48.300, the Legislative Branch Budget is as follows:

## PART I

### OPERATING BUDGET

**Funds Appropriations:** Funds are appropriated to the Legislative Research Commission for the Legislative Branch of government out of the General Fund and Restricted Funds accounts for the fiscal year beginning July 1, 2021, and ending June 30, 2022, for the fiscal year beginning July 1, 2022, and ending June 30, 2023, and for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in the following discrete sums, or so much thereof as may be necessary. Each appropriation is made by the source of respective fund or funds accounts to be used for the purposes of the Legislative Branch of government of the Commonwealth of Kentucky.

#### A. LEGISLATIVE BRANCH

##### Budget Units

|                            | 2021-22 | 2022-23    | 2023-24    |
|----------------------------|---------|------------|------------|
| <b>1. General Assembly</b> |         |            |            |
| General Fund               | 427,100 | 22,663,600 | 24,260,500 |
| Restricted Funds           | -0-     | 75,000     | 175,000    |
| TOTAL                      | 427,100 | 22,738,600 | 24,435,500 |

**(1) Legislators Compensation:** Notwithstanding KRS 6.190 and 6.213, the daily compensation provided by KRS 6.190 and the interim expense allowance provided by KRS 6.213 for the members of the General Assembly shall be as authorized by the 2020-2022 biennium and shall continue as adjusted on January 1, 2023, by the salary increment provided to state employees in the state/executive branch budget.

(2) **Kentucky Legislative Ethics Commission:** Included in the above General Fund appropriation is \$567,700 in each fiscal year of the 2022-2024 fiscal biennium for the Kentucky Legislative Ethics Commission. Included in the above Restricted Funds appropriation is \$75,000 in fiscal year 2022-2023 and \$175,000 in fiscal year 2023-2024 for the Kentucky Legislative Ethics Commission.

(3) **Kentucky Long-Term Policy Research Center:** Notwithstanding KRS 7B.010 to 7B.090, operation of the Kentucky Long-Term Policy Research Center and its governing board shall continue to be suspended effective July 1, 2022, and shall remain suspended for the 2022-2024 fiscal biennium or until funding is restored. No funds are appropriated for the Kentucky Long-Term Policy Research Center for fiscal year 2022-2023 and fiscal year 2023-2024.

(4) **Pension Benefit Increase:** Notwithstanding KRS 6.521(3), no pension benefit increase shall be granted to recipients of a retirement allowance under KRS 6.500 to 6.577 on July 1, 2022.

|   | 2021-22   | 2022-23    | 2023-24    |
|---|-----------|------------|------------|
| <b>2. Legislative Research Commission</b> |           |            |            |
| General Fund                              | 1,794,800 | 62,377,000 | 63,756,300 |

(1) **Legislative Record:** Notwithstanding KRS 7.105, distribution of the final issue of the Legislative Record and the interim Legislative Record shall be suspended effective July 1, 2022.

#### **TOTAL - OPERATING BUDGET**

|                  | 2021-22          | 2022-23           | 2023-24           |
|------------------|------------------|-------------------|-------------------|
| General Fund     | 2,221,900        | 85,040,600        | 88,016,800        |
| Restricted Funds | -0-              | 75,000            | 175,000           |
| <b>TOTAL</b>     | <b>2,221,900</b> | <b>85,115,600</b> | <b>88,191,800</b> |

**Unexpended Balance:** Notwithstanding KRS 45.229, any unexpended balance remaining at the close of fiscal year 2021-2022 shall not lapse but shall continue into

fiscal year 2022-2023, and any unexpended balance in any succeeding fiscal year shall not lapse but shall continue into the following fiscal year.

### **TOTAL - LEGISLATIVE BRANCH BUDGET**

|                  | <b>2021-22</b>   | <b>2022-23</b>    | <b>2023-24</b>    |
|------------------|------------------|-------------------|-------------------|
| General Fund     | 2,221,900        | 85,040,600        | 88,016,800        |
| Restricted Funds | -0-              | 75,000            | 175,000           |
| <b>TOTAL</b>     | <b>2,221,900</b> | <b>85,115,600</b> | <b>88,191,800</b> |

### **PART II**

#### **CAPITAL PROJECTS BUDGET**

##### **A. LEGISLATIVE BRANCH**

| <b>Budget Units</b>                       | <b>2022-23</b> | <b>2023-24</b> |
|---|----------------|----------------|
| <b>1. Legislative Research Commission</b> |                |                |
| <b>001. Construct Multimedia Studios</b>  |                |                |
| General Fund                              | 3,000,000      | -0-            |
| <b>002. Replace Budget Systems</b>        |                |                |
| General Fund                              | 15,000,000     | -0-            |

### **PART III**

#### **GENERAL PROVISIONS**

**1. Expenditure Authority:** The Director of the Legislative Research Commission, under the supervision of the Legislative Research Commission, may expend any of the funds appropriated for legislative operation and administration in any lawful manner and for any legal purpose consistent with the policies and practices of the Commission. No executive agency or statute governing the executive agencies of state government shall have the power to restrict or limit the actions of, or the expenditure of funds appropriated to, the Legislative Research Commission for the Legislative Branch of government.

**2. Capitol and Capitol Annex Capital Construction Expenditures:** Any

1 expenditure authorized by the Director of the Legislative Research Commission, under  
2 the supervision of the Legislative Research Commission, relating to implementation of  
3 KRS 56.463(4)(b), or relating to the Capitol Building, and funded by previous or current  
4 appropriations to the Legislative Research Commission for the Legislative Branch of  
5 government shall not be governed by KRS 7A.010, 7A.120, 45.750 to 45.810,  
6 48.010(16), 48.020, and 48.110.

7       **3. Severability of Budget Provisions:** Appropriation items and sums in this Act  
8 conform to KRS 48.311. If any section, any subsection, or any provision thereof shall be  
9 invalid or unconstitutional, the decision of the courts shall not affect or impair any of the  
10 remaining sections, subsections, or provisions.

11       **4. Duplicate Appropriation:** Any appropriation item and sum in this Act and in  
12 an appropriation provision in another Act of the 2022 Regular Session of the General  
13 Assembly which constitutes a duplicate appropriation shall be governed by KRS 48.312.

14       **5. Priority of Individual Appropriations:** KRS 48.313 shall control when a  
15 total or subtotal figure in this Act conflicts with the sum of the appropriations of which it  
16 consists.

17       **6. Appropriations Revisions:** Notwithstanding KRS 48.630(10), no revisions  
18 for unbudgeted Restricted Funds appropriations for expenditure shall be allotted or  
19 expended that have not been appropriated in any enacted branch budget bill or without  
20 the express authority of the General Assembly.

21       **7. Allowance in Lieu of Stationery:** Notwithstanding KRS 6.220, in lieu of  
22 stationery, there shall be allowed to each member of the House of Representatives the  
23 sum of \$350 and to each member of the Senate the sum of \$650. This allowance shall be  
24 paid out of the State Treasury at the beginning of each legislative session.

25       **8. Salary Adjustments:** In each fiscal year, employees of the Legislative  
26 Research Commission shall receive a salary adjustment in accordance with the salary  
27 adjustment provided to state employees in the state/executive branch budget.

1       **9. Administrative Expenses:** Pursuant to KRS 21.540, administrative expenses  
2 shall be paid out of an administrative account which shall be funded by transfers of the  
3 necessary moneys, in appropriate ratio, from the funds provided for in KRS 21.550 and  
4 21.560.

5       **10. Employee Layoffs, Furloughs, and Reduced Hours:** Notwithstanding any  
6 statute to the contrary, the following process and procedure is established for July 1,  
7 2022, through June 30, 2024, in the event that the Legislative Research Commission  
8 (LRC) determines that it is desirable for the Director of the LRC to layoff, furlough, or  
9 reduce hours of employees:

10       (1) For the purposes of this section:

11       (a) "Appointing authority" means the Director of the LRC, in his or her capacity  
12 as provided in KRS 7.090, or any agent whom he or she has delegated to act on his or her  
13 behalf with respect to employee appointments, position establishments, payroll  
14 documents, reemployment requests, waiver requests, requests for certification, or other  
15 position actions for the LRC;

16       (b) "Furlough" or "reduction in hours" means the temporary reduction of hours an  
17 employee is scheduled to work by the appointing authority within a pay period;

18       (c) "Layoff" means discharge of employment subject to the rights contained in  
19 this section; and

20       (d) "Employees" includes all persons employed by the LRC;

21       (2) Upon an order by the LRC, the appointing authority has the authority to layoff  
22 or furlough employees or reduce hours of employment for any of the following reasons:

23       (a) Lack of funds or budgetary constraints;

24       (b) A reduction in the agency's spending authorization;

25       (c) Lack of work;

26       (d) Abolishment of a position; or

27       (e) Other material change in duties or organization;

1           (3) The appointing authority shall determine the job classifications affected and  
2 the number of employees laid-off in each classification to which a layoff applies. In the  
3 same department or office and job classification, interim and probationary employees  
4 shall be laid-off before any full-time or part-time employees are laid-off. For purposes of  
5 layoff, "probationary employee" does not include an employee serving a promotional  
6 probation;

7           (4) The Director of the LRC shall approve and implement all actions taken under  
8 subsection (2) of this section and no such layoff, furlough, or reduction of hours may  
9 begin until such approval has been granted. The Director of the LRC has the authority to  
10 determine the extent, effective dates, and length of any action taken under subsection (2)  
11 of this section;

12           (5) In determining the employees to be laid-off, the appointing authority shall  
13 consider all employees under the same appointing authority and within the job  
14 classification affected. Consideration shall be given to the following relevant factors:

- 15           (a) Job performance evaluations;
- 16           (b) Seniority;
- 17           (c) Education, training, and experience; and
- 18           (d) Disciplinary record;

19           (6) Any employee whose position is subject to layoff, furlough, or reduction of  
20 hours shall be provided written notice containing the reason for the action as set forth in  
21 subsection (2) of this section at least 15 days in advance of the effective date of the  
22 action;

23           (7) Any employee who is laid-off shall be eligible to apply as a reemployment  
24 applicant for positions with the same job classification in the LRC. For a period of two  
25 years, a reemployment applicant shall be hired before any applicant except another  
26 reemployment applicant with greater seniority who is on the same reemployment list.  
27 When a reemployment applicant is removed from a reemployment list, he or she shall be

1 notified in writing. A reemployment applicant who accepts another LRC position, or who  
2 retires, shall cease to have eligibility rights as a reemployment applicant;

3 (8) The appointing authority may place employees subject to a reduction in force;

4 (9) Furloughs or reduction of hours during a pay period shall not result in the loss  
5 of eligibility for any benefit otherwise due the employee;

6 (10) The appointing authority shall have the authority to promulgate  
7 comprehensive administrative regulations governing this section; and

8 (11) A layoff, furlough, or reduction of hours implemented in accordance with this  
9 section shall not be considered a penalization of the employee.

10 **11. Deferred Payroll:** Included in the fiscal year 2021-2022 appropriations in  
11 Part I of this Act are sufficient funds to issue the state payroll that had previously been  
12 deferred.

#### 13 **PART IV**

#### 14 **BUDGET REDUCTION OR SURPLUS EXPENDITURE PLAN**

15 The Legislative Branch shall participate in any Budget Reduction Plan or Surplus  
16 Expenditure Plan in accordance with KRS Chapter 48, except that obligations essential to  
17 the constitutional duties of the Legislative Branch shall be exempt from any Budget  
18 Reduction Plan. The level of participation in a Budget Reduction Plan shall be at the  
19 discretion of the Director and shall not exceed the actual percentage of revenue shortfall.